

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph S. Cavallo et al.                      Art Unit : 2186  
Serial No. : 10/799,135                                      Examiner : Hetul B. Patel  
Filed : March 11, 2004                                      Conf. No. : 8491  
Title : SEQUENTIAL DATA TRANSFER DETECTION

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL REPLY TO ACTION OF NOVEMBER 3, 2006

In reply to the Final Office Action of November 3, 2006, Applicant submits the following remarks.

Applicant respectfully requests reconsideration, and withdrawal of the finality of the present Office Action. As explained in the previous reply, the finality of the present Office Action is premature, according to the MPEP section 706.07(a), which states "Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement ...." Since the present 35 U.S.C. 101 ground of rejection is new and not necessitated by Applicant's amendment of the claims nor based on information submitted in an information disclosure statement, Applicant requests withdrawal of the finality of the present Office Action.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 10559-707002.

Respectfully submitted,

Date: 2/2/07

/Elliott J. Mason, III/  
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